

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

|                                  |   |                                 |
|----------------------------------|---|---------------------------------|
| <b>UNITED STATES OF AMERICA,</b> | ) |                                 |
|                                  | ) |                                 |
| <b>Plaintiff,</b>                | ) |                                 |
|                                  | ) |                                 |
| <b>v.</b>                        | ) | <b>Case No. 08-CR-30040-MJR</b> |
|                                  | ) |                                 |
| <b>COREY HINES,</b>              | ) |                                 |
|                                  | ) |                                 |
| <b>Defendant.</b>                | ) |                                 |

**MEMORANDUM AND ORDER**

**REAGAN, District Judge:**

Defendant Corey Hines moves the Court for a prohibitory injunction (Doc. 240). Hines complains that his conditions of confinement at Alton City Jail violate his constitutional right to due process. He alleges, *inter alia*, that officials at the Jail did not provide a vegetarian diet, deprived him of soap, opened his legal mail, impaired his access to the courts and failed to provide him with eyeglasses. He also claims that U.S. Marshal Broshow is aware of these conditions but has not responded to his complaints.

Hines's claims are based on conditions that he alleges exist at the Alton City Jail. He is currently incarcerated at the United States Penitentiary in Marion, Illinois. Consequently, Hines's request for injunctive relief is moot unless he can demonstrate that he is likely to be transferred back to Alton City Jail. *Higgason v. Farley*, 83 F.3d 807, 811 (7th Cir. 1996). Allegations of a likely retransfer may not be based on mere speculation. *Id.* at 811 (citing *Preiser v. Newkirk*, 422 U.S. 395, 403 (1975)).

Hines's motion was filed before his transfer, and the likelihood of his being retransferred is remote. As a result, his motion for a prohibitory injunction is moot.

Accordingly, the Court **DENIES** as moot Hines's motion for a prohibitory injunction (Doc. 240).

**IT IS SO ORDERED.**

**DATED this 18th day of August, 2010**

**s/Michael J. Reagan**  
**MICHAEL J. REAGAN**  
**United States District Judge**